

1 Pursuant to the Court's Order of October 25, 2007, Inna Vigdorchik
 2 ("Plaintiff") and Century Theaters, Inc. ("Defendant") hereby submit this report
 3 regarding the appeals pending in cases, like this one, arising under the Fair
 4 Credit Reporting Act and Fair and Accurate Credit Transaction Act, 15 U.S.C.
 5 §§ 1681c(g) and 1681n. The following appeals are currently pending before
 6 the United States Court of Appeals for the Ninth Circuit:

7 1. On September 13, 2007, the Ninth Circuit granted plaintiff's FED.
 8 R. Civ. P. 23(f) petition for review of the Hon. R. Gary Klausner's denial of
 9 class certification in the case of *Soualian v. International Coffee and Tea, LLC*,
 10 No. 07-CV-00502 RGK (JCx) (C. D. Cal.). The parties agreed to a class
 11 settlement requiring district court approval. On March 28, 2008, the parties
 12 filed a Joint Motion for Conditional Certification of Settlement Class and For
 13 Preliminary Approval of Class Action Settlement in the district court. On
 14 March 28, 2008, the Ninth Circuit issued an order vacating the briefing
 15 schedule and giving the plaintiff-appellant 90 days to either move for dismissal
 16 of the appeal or contact the Circuit Mediator.

17 2. On January 14, 2008, the Ninth Circuit granted defendant's FED.
 18 R. Civ. P. 23(f) petition for review of the Hon. James V. Selna's grant of class
 19 certification in the case of *Reynoso v. South County Concepts*, Case No. CV 07-
 20 373 JVS (C.D. Cal.), *leave to appeal granted*, Appellate Dkt No. 07-80191 (9th
 21 Cir. Jan. 14, 2008), *appeal docketed*, Appellate Dkt. No. 08-55079 (9th Cir.).
 22 A briefing schedule has been established. The appellant South County
 23 Concepts' opening brief is due May 1, 2008, the appellee Reynoso's brief is
 24 due on June 2, 2008, and appellant's reply brief, if any, is due within fourteen
 25 days of service of the appellee's brief.

26 3. The parties agree that the Ninth Circuit's ruling on class
 27 certification in *Reynoso v. South County Concepts* may affect the legal
 28 framework of this case.

1 4. The parties also agree that a continued stay of this action pending
2 appellate review of *Reynoso v. South County Concepts* will conserve judicial
3 and party resources, and avoid unnecessary expenditures of time, effort, and
4 money.

5 5. The parties agree and submit that the stay of this action should
6 remain in place.

7 6. The parties agree that the status conference scheduled for April 25,
8 2008, should be continued to October 24, 2008.

9 7. The parties will submit a further report to the court regarding the
10 status of any related Ninth Circuit appeals on October 17, 2008, or at any
11 earlier date if the status of the related Ninth Circuit appeals changes in a
12 manner that warrants a further update.

14 Dated: April 17, 2008

KELLER GROVER LLP

16 By:/s/Eric A. Grover _____
17 Eric A. Grover
Denise L. Diaz

18 Attorneys for Plaintiff

19 Dated: April , 2008

AKIN GUMP STRAUSS HAUER & FELD LLP

21 By: _____
22 Reginald D. Steer
Chad A. Stegeman

23 Attorneys for Defendant
24 Century Theatres, Inc.

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By:

Eric A. Grover
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Attorneys for Plaintiff

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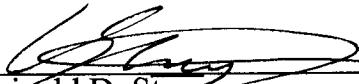
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[PROPOSED] ORDER

Upon the Stipulation of the parties, and for good cause shown, the status conference scheduled for April 25, 2008, to determine whether it is appropriate to continue the stay of this action shall be continued to October 24, 2008. Further status conferences on the appropriateness of this stay shall be set thereafter. The parties reserve the right to approach the Court at any time and, upon a showing of good cause, seek modification, extension or termination of this order.

The parties shall submit a report on October 17, 2008, as to the status of the appeals in other FACTA cases, and any developments in this case. The parties will also inform the Court as to whether the stay should remain in place or be lifted.

IT IS SO ORDERED.

DATED: April 18, 2008

Maxine M. Chesney
Maxine M. Chesney
United States District Court Judge